

AMENDED IN SENATE SEPTEMBER 14, 2001

AMENDED IN ASSEMBLY MAY 31, 2001

AMENDED IN ASSEMBLY APRIL 5, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1205

Introduced by Assembly Member Ashburn

February 23, 2001

An act to amend Section 120480 of the Health and Safety Code, relating to disease prevention, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1205, as amended, Ashburn. Valley fever.

Existing law establishes the Valley Fever Vaccine Project, administered by the State Department of Health Services, and provides for state support and funding of efforts by the project to conduct valley fever vaccine research.

This bill would appropriate ~~\$1,000,000~~ \$500,000 from the General Fund to the department for the 2001–02 fiscal year, for purposes of extending the project.

Existing law authorizes the department to contract on a sole source basis with a nonprofit organization that has provided funding for vaccine research on valley fever and requires the organization to distribute research grants to support research efforts that are likely to advance the effort to develop a vaccine.

This bill would exempt these contracts from review by the Department of General Services.

This bill would incorporate additional changes in Section 120480 of the Health and Safety Code proposed by SB 1191, that would become operative only if SB 1191 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 120480 of the Health and Safety Code
2 is amended to read:

3 120480. (a) Funds appropriated in the Budget Act of 1998,
4 and any other appropriations, to the State Department of Health
5 Services for the purpose of valley fever (coccidioidomycosis)
6 vaccine research shall be used to continue and expand the current
7 research effort being conducted by the Valley Fever Vaccine
8 Project.

9 (b) The department shall augment and amend the existing
10 contract to support research into the development of a vaccine to
11 protect against valley fever. The department may contract on a sole
12 source basis with a nonprofit organization that has provided
13 funding for vaccine research on valley fever. The contract shall
14 require the organization to distribute research grants to support
15 research efforts that are likely to advance the effort to develop a
16 vaccine. This contract shall not be subject to review by the
17 Department of General Services.

18 (c) The contractor shall establish an advisory group consisting
19 of persons with relevant expertise in the fields of mycology and
20 vaccine development and a representative from the department.
21 The advisory group shall approve grants for those whose research
22 is likely to advance the effort to develop a safe and effective
23 vaccine. The contractor shall seek advice from the appropriate
24 agencies in the National Institutes of Health and other federal
25 agencies with experience in supporting vaccine research when
26 reviewing the research of those receiving funds under this section.
27 Funding awards shall be made so as to complement financial
28 support provided by the federal government.

29 (d) The contractor shall provide the department with periodic
30 status reports on the progress of the researchers receiving funds
31 pursuant to this section. The department shall review progress



1 reports from the contractor describing the research progress and
2 plans for future funding and report to the Legislature during the
3 annual review of the budget.

4 (e) The contract shall require that funding is provided on the
5 condition that, if a valley fever vaccine is developed and
6 successfully marketed, the state shall be reimbursed for the cost of
7 grants made under this section in proportion to the state's
8 contribution to the research and development effort.

9 *SEC. 1.5. Section 120480 of the Health and Safety Code is*
10 *amended to read:*

11 120480. (a) Funds appropriated in the Budget Act of 1998,
12 *and any other appropriations*, to the State Department of Health
13 Services for the purpose of valley fever (coccidioidomycosis)
14 vaccine research shall be used to continue and expand the current
15 research effort being conducted by the Valley Fever Vaccine
16 Project. ~~This augmentation shall not be subject to review by the~~
17 ~~Department of General Services.~~

18 (b) The department shall augment and amend the existing
19 contract to support research into the development of a vaccine to
20 protect against valley fever. The department may contract on a sole
21 source basis ~~to~~ *with* a nonprofit organization that has provided
22 funding for vaccine research on valley fever. The contract shall
23 require the organization to distribute research grants to support
24 research efforts that are likely to advance the effort to develop a
25 vaccine. *This contract shall not be subject to review by the*
26 *Department of General Services.*

27 (c) The contractor shall establish an advisory group consisting
28 of persons with relevant expertise in the fields of mycology and
29 vaccine development and a representative from the department.
30 The advisory group shall approve grants for those whose research
31 is likely to advance the effort to develop a safe and effective
32 vaccine. The contractor shall seek advice from the appropriate
33 agencies in the National Institutes of Health and other federal
34 agencies with experience in supporting vaccine research when
35 reviewing the research of those receiving funds under this section.
36 Funding awards shall be made so as to complement financial
37 support provided by the federal government.

38 (d) The contractor shall provide the department with periodic
39 status reports on the progress of the researchers receiving funds
40 pursuant to this section. The department shall review progress

1 reports from the contractor describing the research progress and
2 plans for future funding ~~and report to the Legislature during the~~
3 ~~annual review of the budget.~~

4 (e) The contract shall require that funding is provided on the
5 condition that, if a valley fever vaccine is developed and
6 successfully marketed, the state shall be reimbursed for the cost of
7 *grants made under this section in proportion to the state's*
8 *contribution to the research and development effort.*

9 SEC. 2. The sum of ~~one million dollars (\$1,000,000)~~ *five*
10 *hundred thousand dollars (\$500,000)* is hereby appropriated from
11 the General Fund to the State Department of Health Services, for
12 the 2001–02 fiscal year, for purposes of valley fever vaccine
13 research pursuant to Section 120480 of the Health and Safety
14 Code. Fifty thousand dollars (\$50,000) shall be allocated to the
15 department in the 2001–02 fiscal year for purposes of costs
16 associated with the administration of Section 120480 of the Health
17 and Safety Code.

18 SEC. 3. *Section 1.5 of this bill incorporates amendments to*
19 *Section 120480 of the Health and Safety Code proposed by both*
20 *this bill and SB 1191. It shall only become operative if (1) both bills*
21 *are enacted and become effective on or before January 1, 2002, (2)*
22 *each bill amends Section 120480 of the Health and Safety Code,*
23 *and (3) this bill is enacted after SB 1191, in which case Section*
24 *120480 of the Health and Safety Code, as amended by SB 1191,*
25 *shall remain operative only until the operative date of this bill, at*
26 *which time Section 1.5 of this bill shall become operative, and*
27 *Section 1 of this bill shall not become operative.*